

REMARKS

Status of the Claims

Claim 76 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over several cited references, namely, U.S. Patent No. 4,048,030 issued to *Miller* (“*Miller*”) in view of U.S. Patent No. 4,474,620 issued to *Hall* (“*Hall*”); and U.S. Patent No. 4,265,727 issued to *Beckley* (“*Beckley*”) in view of *Hall*.

By this reply, Claim 76 has been canceled, no claims have been amended, and Claims 77-90 have been added. Thus, Claims 77-90 are pending in this application. No new matter has been added and the amendments are fully supported by the specification.

New Claims

Applicant’s new claims are directed to a small portable device for sanitizing a surface. More specifically, Applicant’s independent Claim 77 comprises a solid electrolyte conductor, a housing operably connected to the solid electrolyte conductor wherein the housing is configured for placement of the solid electrolyte conductor adjacent the surface, and a power source operably connected to the solid electrolyte conductor wherein at least one of the anode or the cathode are constructed from materials that upon operation of the solid electrolyte conductor, a sanitizing effect is imparted on the surface. Other claimed aspects—in various combinations—include: an adhesive attached to the housing, an AC power source, a DC power source, or a solar energy power source.

The cited prior art references, alone or in combination, fail to disclose, teach, or suggest Applicant’s invention as claimed in independent Claim 77. Because the cited prior art, alone or in combination, fails to disclose, teach, or suggest each and every element of independent Claim 77, Applicant respectfully submits that Claim 77 is in condition for allowance.

Added dependent Claims 78-90 depend directly or indirectly on Claim 77 and include every aspect therein, respectively. Therefore, Applicant respectfully submits that Claims 78-90 are also in condition for allowance.

CONCLUSION

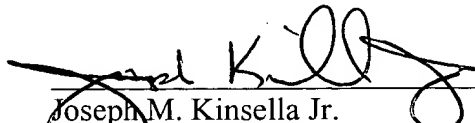
Based on the above, Applicant submits that Claims 77-90 are now in condition for allowance and respectfully request reconsideration of the rejections and passage to allowance of all claims.

Should anything further be required, a telephone call to the undersigned at (312) 226-1818 is respectfully invited.

Respectfully submitted,

FACTOR & LAKE, LTD.

Dated: January 24, 2005


Joseph M. Kinsella Jr.
One of Attorneys for Applicant

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 24, 2005.

Joseph M. Kinsella Jr.

